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COLOMBIA

Colombia/Venezuela - Boundary

(Territorial Waters)

MINISTER OF FOREIGN AFFAIRS DISCUSSES BORDER DISPUTE WITH VENEZUELA

[Excerpt from article by Hernando Holguin Pelaez; Medellin, El Colombiano, Spanish, 8 March 1972, pp 3, 16]

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Colombian Minister of Foreign Affairs Alfredo Vasquez Carrizosa has submitted for publication by the National Publishing House a 296-page study entitled Colombia y los Problemas del Mar (Colombia and its Maritime Problems). The work amounts to what we might call a clear expression of the Colombian Government's position on the present dispute with Venezuela with respect to boundaries for undersea areas and islands and peninsulas in the Gulf of Venezuela. The minister's study is the sixth published in 1971 on this widely discussed topic. Five of them were written by Colombians and one, as far as I know, by a Venezuelan author.

In his discussion of the dispute between Colombia and Venezuela, the minister summarizes the situation in the following words, which are excerpts representing basic aspects that might define the government's official position:

1 -- "Colombia has a right to its continental shelf and all its extensions, whether along its coasts, peninsulas, islands, or elsewhere. There cannot be the slightest doubt that this right pertains not only to maritime limits, but to the continental shelf. The government can ill afford to lose what belongs to Colombia, since we have in our hands an international agreement that is national law. The rights of a nation are inviolable. Of course, our real differences with Venezuela and other countries are boundaries.

2 -- "Colombia and Venezuela are going ahead with direct talks aimed at finding an equitable and just solution for marking the boundaries of the undersea shelves in the Gulf of Venezuela and in the area located between the La Guajira Peninsula and the Paraguana Peninsula. They were included in an agreement signed by the presidents of the two countries in the Sochagota Declaration in August 1969.

3 -- "A direct settlement is never impossible, even though it seems difficult. We believe that the problem is a legal one. Our objective in these negotiations is a matter of sovereignty, without taking into consideration undersea wealth."

4 -- According to Venezuela, the dispute "is a matter of history and domestic and foreign policy."

5 -- "The dispute between Colombia and Venezuela is more than anything else a problem of language. We speak in legal terms and base our position on the letter and spirit of the treaties, while keeping strictly within the confines of international law. Venezuela speaks in political terms and polemical statements. The problem of maritime boundaries is expressed through historical claims, which can be observed in the statement by President Caldera. We believe that the essential point is contained in the 1958 convention on the continental shelf (Geneva Convention).

6 -- "No one imagines that when Colombia occupies the undersea areas that belong to it according to international law, it will be able to use its navy to obstruct free access to Maracaibo or threaten the petroleum resources along the coast. If the British Navy is not a threat to the Gulf of Paria, then the Colombian Navy will be much less so in the Gulf of Venezuela.

7 -- "Regarding the marking of boundaries along the shelf between two countries, we have always maintained that the median line is also the fairest measure. Nevertheless, Venezuela's objection to basing a solution on the Geneva Convention has made it necessary to negotiate on the basis of 'special circumstances.'

8 -- "Since a direct settlement is impossible, it is still possible to resort to international law for a peaceful settlement. There is nothing stopping us from resorting to the treaty of nonaggression, conciliation, arbitration, and legal settlement, which Colombia and Venezuela signed in 1939. We suggested that a new phase of conciliation be started on the basis of that treaty. However, it was decided to work out a special agreement (modus operandi and talks)."

Finally, Vasquez Carrizosa reaffirms Colombia's right to a maritime limit of 12 miles and opposes a limit of 200 miles, especially on the Atlantic, due to the proximity of the countries.

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